

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MALLINCKRODT PLC,
MALLINCKRODT PHARMACEUTICALS IRELAND
LIMITED, MALLINCKRODT HOSPITAL
PRODUCTS IP UNLIMITED COMPANY, and INO
THERAPEUTICS LLC,

Plaintiffs,

v.

AIRGAS THERAPEUTICS LLC and
AIRGAS USA LLC,

Defendants.

C.A. No. 22-cv-1648-RGA

Verdict Form

When answering the questions and filling out this Verdict Form, you are to follow the directions provided throughout the form. Your answer to each question must be unanimous. Please refer to the Final Jury Instructions for guidance on the law applicable to the subject matter covered by each question.

As used herein:

1. "Mallinckrodt" collectively refers to Plaintiffs Mallinckrodt plc, Mallinckrodt Pharmaceuticals Ireland Limited, Mallinckrodt Hospital Products IP Unlimited Company, and INO Therapeutics LLC.
2. "Airgas" collectively refers to Defendants Airgas Therapeutics LLC and Airgas USA LLC.

Questions and Answers

We, the jury, unanimously agree to the answers to the following questions and return them under the instructions of this Court as our verdict in this case.

I. Pre-Use Gas Verification Patent ('6,794 Patent)

Question 1: Did Mallinckrodt prove, by a preponderance of the evidence, that Airgas infringed any of the following claims of the '6,794 patent?

Check YES or NO in the spaces provided:

Claim 7 of the '6,794 Patent **YES (in favor of Mallinckrodt)**

✓

NO (in favor of Airgas)

Claim 13 of the '6,794 Patent **YES (in favor of Mallinckrodt)**

✓

NO (in favor of Airgas)

*If you answered "Yes" to any part of Question 1, continue to Questions 2 and 3.
Otherwise, skip to Question 4.*

Question 2: Did Mallinckrodt prove, by a preponderance of the evidence, that Airgas's infringement of the '6,794 patent was willful?

YES (in favor of Mallinckrodt)

✓

NO (in favor of Airgas)

Continue to Question 3.

Question 3: What is the total reasonable royalty amount that you find Mallinckrodt has proven, by a preponderance of the evidence, that it is entitled to for Airgas's infringement of the Pre-Use Gas Verification Patent ('6,794 Patent)?

\$ 3,384,768.⁰⁰/₁₀₀

II. Sensor Drift Correction Patents ('9,794 and '9,118 Patents)

Question 4: Did Mallinckrodt prove, by a preponderance of the evidence, that Airgas infringed the following claim of the '9,794 patent?

Check YES or NO in the spaces provided:

| | | |
|-------------------------------------|---------------------------------------|---------------|
| Claim 6 of the '9,794 Patent | YES (in favor of Mallinckrodt) | <u>✓</u> |
| | NO (in favor of Airgas) | <u> </u> |

Continue to Question 5

Question 5: Did Mallinckrodt prove, by a preponderance of the evidence, that Airgas infringed any of the following claims of the '9,118 patent?

Check YES or NO in the spaces provided:

| | | |
|-------------------------------------|---------------------------------------|---------------|
| Claim 2 of the '9,118 Patent | YES (in favor of Mallinckrodt) | <u>✓</u> |
| | NO (in favor of Airgas) | <u> </u> |

| | | |
|-------------------------------------|---------------------------------------|---------------|
| Claim 5 of the '9,118 Patent | YES (in favor of Mallinckrodt) | <u>✓</u> |
| | NO (in favor of Airgas) | <u> </u> |

| | | |
|-------------------------------------|---------------------------------------|---------------|
| Claim 6 of the '9,118 Patent | YES (in favor of Mallinckrodt) | <u>✓</u> |
| | NO (in favor of Airgas) | <u> </u> |

| | | |
|-------------------------------------|---------------------------------------|---------------|
| Claim 9 of the '9,118 Patent | YES (in favor of Mallinckrodt) | <u>✓</u> |
| | NO (in favor of Airgas) | <u> </u> |

If you answered "Yes" to any of part of Questions 4 or 5, continue to Questions 6 and 7. Otherwise, do not answer the remaining questions and proceed to check and sign the Conclusion at the END of this form.

Question 6: Did Mallinckrodt prove, by a preponderance of the evidence, that Airgas's infringement of either of the following patents was willful?

| | | |
|---------------|--------------------------------|---------------|
| '9,794 Patent | YES (in favor of Mallinckrodt) | <u>✓</u> |
| | NO (in favor of Airgas) | <u> </u> |
| '9,118 Patent | YES (in favor of Mallinckrodt) | <u>✓</u> |
| | NO (in favor of Airgas) | <u> </u> |

Continue to Question 7

Question 7: What is the total reasonable royalty amount that you find Mallinckrodt has proven, by a preponderance of the evidence, that it is entitled to for Airgas's infringement of the Sensor Drift Correction Patents ('9,794 and '9,118 Patents)?

\$ 6,106,993.⁰⁰/₁₀₀

Conclusion

You have come to the end of the verdict form. Please review the entire form to ensure that it is complete and that the answers accurately reflect your unanimous determinations. The Foreperson should then sign the verdict form in the space below and notify the Court that you have reached a verdict. The Foreperson should retain possession of the verdict form and bring it to the courtroom with the jury.

Date: 09/12/2025

Foreperson _____